

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

GERALD ROSS PIZZUTO, JR., <i>Petitioner-Appellant,</i> v. A. J. ARAVE, Warden, <i>Respondent-Appellee.</i>	}	No. 97-99017 D.C. No. CV-92-00241-S- AAM ORDER
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Filed October 3, 2003

Before: Betty B. Fletcher, Pamela Ann Rymer, and
Ronald M. Gould, Circuit Judges.

ORDER

Pizzuto seeks clarification of the time for filing a petition for rehearing in light of the fact that this court has rendered its decision in *Summerlin v. Stewart*, 341 F.3d 1082 (9th Cir. 2003) (en banc). The time for filing a petition for rehearing and/or petition for rehearing en banc is stayed until final disposition of *Summerlin* by the United States Supreme Court. Pizzuto shall have 30 days from that date in which to seek rehearing in this court. Meanwhile, the opinion filed February 6, 2002 in this case may not be cited for precedential effect.

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